MAR 1 1 2003

PATENT Atty. Docket No. J-2961

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED

Applicant(s): LeBoeuf et al.

Serial No.: 09/677,663

Filed: October 2, 2000

For: PROCESSING SUBSTRATE AND/OR SUPPORT SURFACE

Group Art Unit: 1774

Examiner: Alicia Ann Chevalier

Certificate of Mailing 1 2 7003

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March , 2003

William E. McCracken Registration No. 30,195 Attorney for Applicant(s)

#21

12th SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents Washington, D.C. 20231

Sir:

The patents and other documents listed on the enclosed PTO Form-1449 are submitted pursuant to 37 CFR §§1.56, 1.97, and 1.98. Copies of the documents are enclosed as necessary.

Applicants further wish to call to the attention of the Examiner certain research activities that the assignee of the above-identified application (hereinafter the "assignee") conducted more than one year prior to the filing date of the present invention. The activities discussed below were undertaken by employees of the present assignee either alone or with the assistance of a marketing research agency. The research activities involved the showing of concept boards and prototypes (attached hereto as Exhibits 1-14) to third parties on a confidential basis.

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In summary, the product concepts and test fall into one or both of the following areas:

1) the test was of a *bona fide* experimental nature and, as such, falls under the experimental use exception to 35 USC § 102(b) and/or 2) the concept shown did not disclose every element of the claimed invention and thus cannot be considered an anticipatory § 102(b) prior use.

First Set of Experimental Tests

In January of 1985, Dow Brands (subsequently purchased by the assignee) requested the services of a marketing agency known as Burke Marketing Research of Cincinnati, Ohio, to conduct a study of a design for a sheet product referred to as "Butcher Block Disposable Cutting Sheets." The study was conducted in four cities involving 240 participants and, upon information and belief, all participants in the study signed confidentiality agreements and none of the products represented on the concept board were offered for sale. The purpose of the study was to determine how well the design performed against the participants' expectations based upon only the information on copies of a concept board (a copy is attached hereto as Exhibit 1).

The concept contemplated on the board was a strong plastic sheet 18" x 12" in size with a non-slide backing. There was no disclosure of a multi-layer sheet or a sheet with any absorbent qualities.

A member of Dow Brands' marketing research department drafted a summary of the study in February of 1991, several years after the study was requested (the summary is attached hereto as Exhibit 15). The summary stated that applicant should reconsider and reposition the sheet product to better address the participants' concerns.

Second Set of Experimental Tests

In April of 1985, Dow Brands requested the services of a marketing agency known as The Vanderveer Group of Lansdale, Pennsylvania, to conduct a study of "Cut 'n' Toss Disposable Cutting Boards." The study was conducted in Indianapolis, Indiana on May 7th and 8th 1985, and involved three focus groups of participants. Upon information and belief, all participants in the study signed confidentiality agreements and none of the products represented on the concept boards or shown in physical form to the participants were offered for sale. The purpose of the study was to provide guidance in determining which design

should be considered for further evaluation. The participants were questioned about several variables, such as size, thickness, color, shape, etc. of the sheets.

The study exposed one focus group of participants to clear plastic and white paperboard prototypes of the cutting sheet and allowed some participants an opportunity to use the prototypes in a controlled setting. While no physical samples remain in existence, a description of the products tested can be seen on page 4 of Exhibit 16 attached hereto. The other two participant focus groups were only exposed to a concept board describing the "Cut 'n' Toss Disposable cutting board" (a copy of the concept board is attached hereto as Exhibit 2).

In the test setting the clear plastic and white paperboard prototypes of the concept described on the concept board Exhibit 2 failed to perform as expected and proved to be easy to cut through by the participants. A summary report was created in May of 1985 (a copy is attached hereto as Exhibit 16) recommending development of a much stronger alternative.

Third and Fourth Sets of Experimental Tests

In March of 1997 and September of 1998, third and fourth sets of experimental tests were ordered from AC Nielsen BASES of Cincinnati, Ohio by the assignee. Both tests involved 155 participants in various locations and, upon information and belief, all participants signed confidentiality agreements. The concept board shown to the participants in the third test described a surface protector made of a sturdy paper fiber that is capable of stopping juices from meat and other food from reaching a underlying surface, however the concept board made no mention of how this was to be accomplished (copy of concept board attached hereto as Exhibit 3). The concept contemplated was in a roll form that could be torn off the roll in various sizes. The concept also contemplated the inclusion of a light adhesive on the back side to hold the product in place on a counter top.

The concept board shown to the participants in the fourth test described a "disposable cutting sheet" 12" x 15" in size and packaged in sets of 10 sheets (copy of concept board attached hereto as Exhibit 4). The concept further comprehended a highly absorbent material to trap liquid coupled with a cut proof bottom portion to protect a counter.

Upon information and belief, in both the third and fourth sets of tests the participants were monetarily compensated for their time and no products were offered for sale to the

participants. At the conclusion of the tests summary reports were prepared and product development continued in response to the participants' input (a copy of each summary is attached hereto as Exhibit 17 for the third set of tests and Exhibit 18 for the fourth set of tests).

Fifth Set of Experimental Tests

In November of 1998, applicant requested the services of a marketing agency known as Opinion Search of Detroit, Michigan, to conduct a study of prototypes of a disposable cutting sheet (copies of photographs of the prototypes are attached hereto as Exhibits 5-10). The study was conducted in Detroit, Michigan, and involved four groups totaling 18 participants. Upon information and belief, all participants in the study signed confidentiality agreements. The purpose of the study was to determine how well the prototypes performed against participants' expectations in an actual use setting and to facilitate the development of an improved product based upon reactions to the prototypes.

The study exposed the participants to the prototypes shown in Exhibits 5 - 10 in the form of small cutting sheets. The concepts were dual layer sheets having an absorbent top layer and a strong cut resistant plastic bottom layer. All of the prototypes had a similar clear plastic bottom layer. The concept shown in Exhibit 5 had a top layer of a thin pocketed absorption sheet. The concept shown in Exhibit 6 had a top layer of layered loosely packed fibers while the concept shown in Exhibit 7 had a top layer of a thin textured absorption sheet. The concept shown in Exhibit 8 had top layer of layered loosely packed fibers but packed more densely than the fibers of the concept of Exhibit 6. The concept shown in Exhibit 9 had a top layer of loosely packed fibers with a smooth top presented to the user as a cutting surface. The concept shown in Exhibit 10 had a top layer of a thin textured absorption sheet thicker than the top layer of the concept identified as Exhibit 7. The participants were allowed to cut tomatoes on the sheets and were asked for their opinions on the prototypes. Residue in the pictures of the prototypes is a result of the cutting of the tomatoes. The participants were not allowed to remove any of the prototypes from the test site. Furthermore and upon information and belief, the participants did not pay for any of the samples used and the participants were monetarily compensated for their time while doing the experimentation.

Based upon feedback from the participants the assignee learned that: 1) the absorbent layer sometimes attached to the food; 2) the material bottom must be flexible so it can be disposed of without taking up a lot of room; and 3) the sheet should not move/slide when being used (a copy of summary report attached hereto as Exhibit 19).

Sixth Set of Experimental Tests

In June of 1999, applicant requested the services of a marketing agency known as Interactive Solutions of Grand Rapids, Michigan, to conduct a study of prototypes of disposable cutting sheets (copies of photographs of prototypes attached hereto as Exhibits 11 – 13) compared to a paperboard cutting sheet similar to products known on the market (a copy of a photograph of cutting sheet is attached hereto as Exhibit 14). The study was conducted in Grand Rapids, Michigan and involved 120 participants. Upon information and belief all participants in the study signed confidentiality agreements. The purpose of the study was to determine how well the prototypes performed against participants' expectations in actual home use setting and to allow the development of an improved device based upon reactions to the prototypes.

Each participant was given a number of samples the paperboard product shown in Exhibit 14 to use at home for two weeks. Each participant was also given a number of samples of one of the prototypes shown in Exhibits 11 – 13 to use for a second two-week period. The participants were asked to track each use of the product or prototype and make comments regarding the use.

The concept shown in Exhibit 11 was a non-absorbent film sheet made of a white copolymer with a no slip backing. The concept shown in Exhibit 12 was a two layer sheet with an absorbent top layer and a cut resistant plastic film bottom layer. The concept shown in Exhibit 13 was a three layer design with a plastic scrim as a top layer, a cut resistant plastic film bottom layer and an absorbent layer therebetween. The cutting board shown in Exhibit 14 is a paperboard product similar to products already in the marketplace.

At the end of the test period Interactive Solutions interviewed each participant and collected data sheets that had been filed out by the participants. Upon information and belief, and similar to the fifth set of tests described above, the participants did not pay for any of the samples used and the participants were monetarily compensated for their participation in the

experiment. Furthermore, participants were required to return any unused prototypes (a copy of the test procedure attached hereto as Exhibit 20). Also upon on information and belief, the participants were instructed to dispose of the used samples as normal kitchen garbage due to the health concern of keeping used samples that had been utilized for cutting uncooked meats.

An invention can be rendered unpatentable under 35 USC § 102(b) when there has been a public use of the invention more than one year prior to the filing of a patent application directed thereto. *Atlantic Thermoplastics Co., Inc. v. Faytex Corporation*, 970 F.2d 834, 836 (Fed. Cir. 1992). The use must involve a device that embodies or makes obvious each and every element of the claimed invention, and if the device does not § 102(b) cannot be utilized. *Id.* "Public use" of a claimed invention under §102(b) has been defined as any use of the invention by a person other than the inventor who is under no limitation, restriction, or obligation of secrecy to the inventor. *In re Smith and McLaughlin*,714 F.2d 1127 (Fed. Cir. 1983) citing, *Egbert v. Lipmann*, 104 U.S. 333,336 (1881).

Experimental use is an exception to the 35 U.S.C. §102(b) "public use" bar. As stated by the U.S. Supreme Court, "The use of an invention by the inventor himself, or any other person under his direction, by way of experiment, and in order to bring the invention to perfection has never been regarded as such a [public] use." City of Elizabeth v. American Nicholson Pavement Co., 97 U.S. 126, 134 (1878). There may be an experimental use following a reduction to practice as long as the experiments are part of an attempt to further refine a device. Poole v. Mossinghoff, 214 U.S.P.Q. 506, 510 (D.D.C. 1982).

Experimental use applies where the totality of circumstances indicates that the dominant purpose of a disclosure was to determine efficacy of a device (e.g., how well the device works) and not to gauge consumer demand. *In re James A. Smith*, 714 F.2d 1127 (Fed. Cir. 1983). In determining the dominant purpose, a court may assess a number of factors including: the amount of control the inventor exercised over the testing; the length of the test period; whether any payment was made; whether there was a secrecy obligation; whether progress records were kept; whether someone other than the inventor conducted the experiments; and the degree of commercial exploitation during the tests in relation to the purpose of the experimentation. *C.R. Bard, Inc. v. M3 Systems, Inc.*, 157 F.3d 1340, 1380 (Fed Cir. 1998) (Bryson, J., dissenting in part); *Baker Oil Tools, Inc. v. Geo Vann, Inc.*, 828 F.2d 1558, 1564 (Fed. Cir. 1987).

Applying the facts to the law, none of the six sets of experimental tests conducted by the assignee qualifies as a § 102(b) prior public use. With respect to the first set of experimental tests, the testing conducted with the concept board shown in Exhibit 1 was of an experimental nature. The circumstances of the test were that all participants signed confidentiality agreements, progress records were kept, the length of time was short and was only of a period necessary to undertake the test, and the assignee's agents kept control over the concept boards. Furthermore, the degree of commercial exploitation was negligible since none of the products represented on the concept boards were offered for sale. Thus, the factors to be examined weigh in favor of a finding of experimental use.

However, even if the test were not of an experimental nature, the concept board did not disclose enough information to be anticipatory under § 102(b). The concept board did not disclose any method by which the surface was protected nor did the concept include any reference to any liquid absorbent portion or any liquid impervious portion. Also, the participants never saw or utilized a device, they were simply asked about a concept board. Therefore, the concept board shown in Exhibit 1 did not disclose the claimed invention.

In the second set of experimental tests the testing conducted with prototypes of the concept described on the concept board shown in Exhibit 2 was also of an experimental nature. The circumstances of the test were similar to the first set in that all participants signed confidentiality agreements, progress records were kept, the length of time was short and was only of a period necessary to undertake the test, the assignee's agents kept control over the concepts, and the degree of commercial exploitation was negligible since none of the products represented on the concept boards were offered for sale. Thus, as in the first set of tests the factors weigh in favor of a finding of experimental use.

However, even if the test were not of an experimental nature, the concept board shown in Exhibit 2 and prototypes used did not disclose enough information to be anticipatory under § 102(b). The concept board and prototypes did not disclose any reference to any liquid absorbent portion or any liquid impervious portion. Therefore, the concept board shown in Exhibit 2 and prototypes did not disclose the claimed invention.

The third and fourth sets of experimental tests also fall into the §102(b) experimental use exception. The circumstances of the tests were that all participants signed confidentiality agreements, progress records were kept, the length of time was short and was only of a period

necessary to undertake the test and the assignee's agents kept control over the concepts. Also, none of the products described in either test were offered for sale, so the amount of commercial exploitation was negligible; rather the participants were paid for their participation in the sets of tests. As a result both the third and fourth sets of tests should fall in the experimental use exception to § 102(b).

Even if the tests were not of an experimental nature the concept boards of the third and fourth sets of experimental tests did not disclose enough information to be anticipatory under § 102(b). The concept board shown in Exhibit 3 did not disclose any liquid absorbent portion. The concept board shown in Exhibit 4 did not disclose any liquid impervious portion. Also, the participants never saw or utilized a device in either the third or fourth set of tests, they were simply asked about a concept board. Therefore, the concept boards shown in Exhibits 3 and 4 did not disclose the claimed invention.

In the fifth set of experimental tests prototypes shown in Exhibits 5 – 10 were tested by the participants to help determine if the prototypes worked in actual use in a testing situation. During the testing all activity was controlled by the assignee's agents, control of the prototypes was managed by the assignee's agents, progress records were kept, all participants signed confidentiality agreements, and the length of time was short and was only of a period necessary to undertake the test. In terms of commercial exploitation, the participants did not purchase the prototypes they utilized and they were not offered such an opportunity; rather the participants were paid for their time as in the third and fourth test. Thus, in examining the fifth set of experimental tests, the factors to be examined weigh in favor of experimental use.

In the sixth set of experimental tests prototypes shown in Exhibits 11 – 14 were tested by the participants to help determine if the prototypes worked in actual use in a home setting. During the testing all activity was recorded by the participants on sheets provided by the assignee's agents, at the end of the test the participant's were required to send any unused samples back to the assignee's agents and were questioned about their use of the prototypes, all participants signed confidentiality agreements, and the length of time was short and was only of a period necessary to undertake the test. The participants were monetarily compensated for their participation and were given the samples to be used free of charge.

Thus, in examining the sixth set of experimental tests, the factors to be examined weighs in favor of experimental use.

Based on the foregoing, the showing of concept boards and prototypes shown in Exhibits 1 - 14 do not preclude patentability of the claimed invention.

This information disclosure statement is being filed, to the best of the undersigned's knowledge, before the mailing date of a final action under 37 CFR §1.113 or notice of allowance under 37 CFR §1.311. Therefore, in accordance with 37 CFR §1.97(c), submitted herewith is the fee set forth in 37 CFR §1.17(p) for submission of an information disclosure statement under 37 CFR §1.97(c).

An early and favorable action on the merits is respectfully requested.

Respectfully submitted,

McCracken and Frank 200 W. Adams Suite 2150 Chicago, Illinois 60606 (312) 263-4700

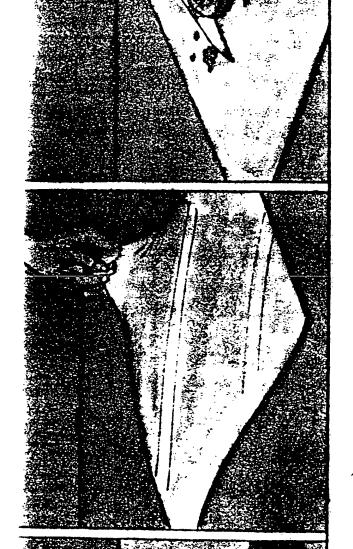
March _______, 2003

Customer No. 29471

By: (

William E. McCracken

Reg. No: 30,195



with a revolutionary new kind of cutting sheet Protect your counter-tops and tile

BUTCHER BLOCK DISPOSABLE CUTTING SHEETS

- * Protect your work surlaces from cuts and scratches when using sharp utensils.
- made from super-strength space-age plastic film, that knives can't cut through.

- Easy to use. Roll out, do your cutting, then wrap up your scraps and throw away.
- * Non-slide backing keeps cutting board from slip-ping.
- * Clean and sanitaryunlike wood cutting boards.

EXHIBIT

ANNOUNCING NEW CUT 'N' TOSS DISPOSABLE CUTTING BOARDS

<u>Convenient</u> -- Use tough new cutting boards like regular cutting boards, then fold up - scraps and all - and throw away. After not-so-messy jobs, just rinse and wipe clean.

<u>Protection</u> -- Super-strength boards keep knives and other sharp utensils from harming your countertops, tile and table surfaces.

<u>Versatile</u> -- More than just for slicing and dicing, new Cut 'n' Toss boards are perfect for kneading dough, cutting cookies, breading fish and poultry, and other messy household jobs.

Clean -- Each 12" x 14" board gives you a clean work surface every time and helps you keep your kitchen clean and neat, too. Ten boards per package.

EXHIBIT

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New Saran Wrap Surface Protector

you're never really sure if it's totally clean and free from bacteria. properly cleaned. And even after you have cleaned the surface, Germs on cutting boards and counter tops can cause illness if not

keeping your cutting and food preparation areas clean and tear off a sheet of Surface Protector and place it on top of the wrap keeps the paper in place while you're cutting. After germ free. Saran Wrap Surface Protector is made with New Saran Wrap Surface Protector solves the problem of your cutting surface. A light adhesive on the back side of and food from reaching the underlying surface. Simply you're done cutting or preparing your food, simply fold up sharpest knives. It stops liquid and juices from meat a sturdy paper fiber that stands up to even the and throw away both the mess and the germs.

Have confidence that your cutting surfaces and counter tops will remain effortlessly clean and bacteria-free with Saran Wrap Surface Protector.

Protects food and kitchen surfaces from New Saran Wrap Surface Protector dangerous bacteria.

75 sq. ft. (75.7 ft. x 11.9 in.) - \$1.99





Saran Wrap" Disposable Cutting Sheets

INTRODUCING

Keep Your Foods Safe from Germs and Bacteria

Food like chicken or fish can leave harmful germs and bacteria on your countertop or cutting board. Those germs and bacteria could get on other foods you're making or utensils you're using.

behind. And the cut-proof bottom ensures nothing will get through to your counters. When you're done, just toss all that bad stuff in New Saran WrapTM Disposable Cutting Sheets keep foods safe absorbent material that traps the liquids certain foods leave from harmful germs and bacteria. Each sheet has a highly he garbage.

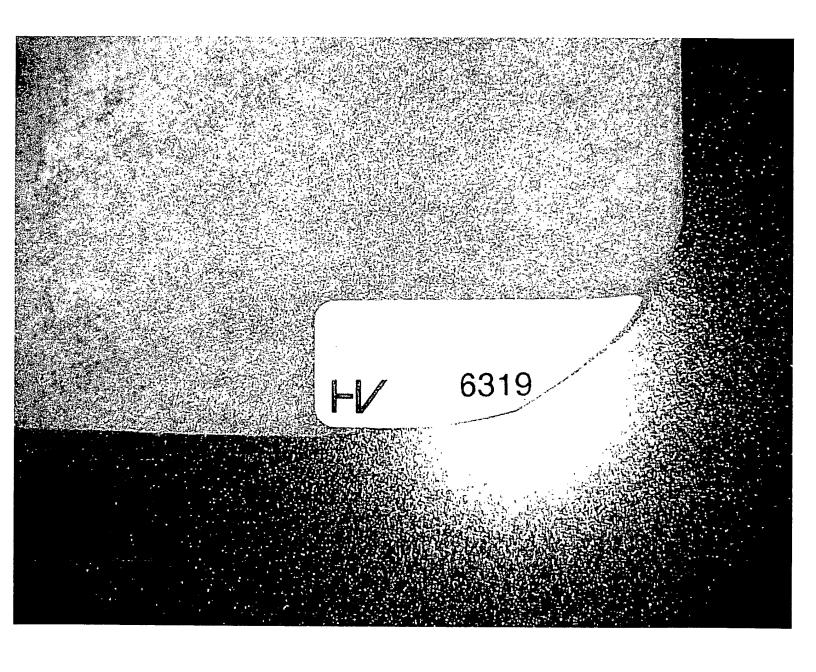
Keep foods Safe and Clean with New Saran Wrap™ Disposable Cutting Sheets,

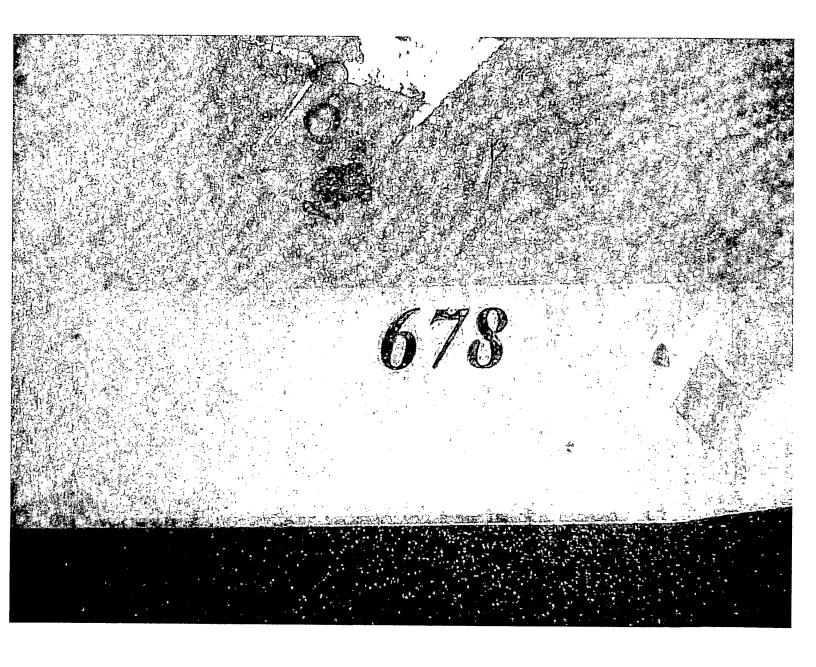


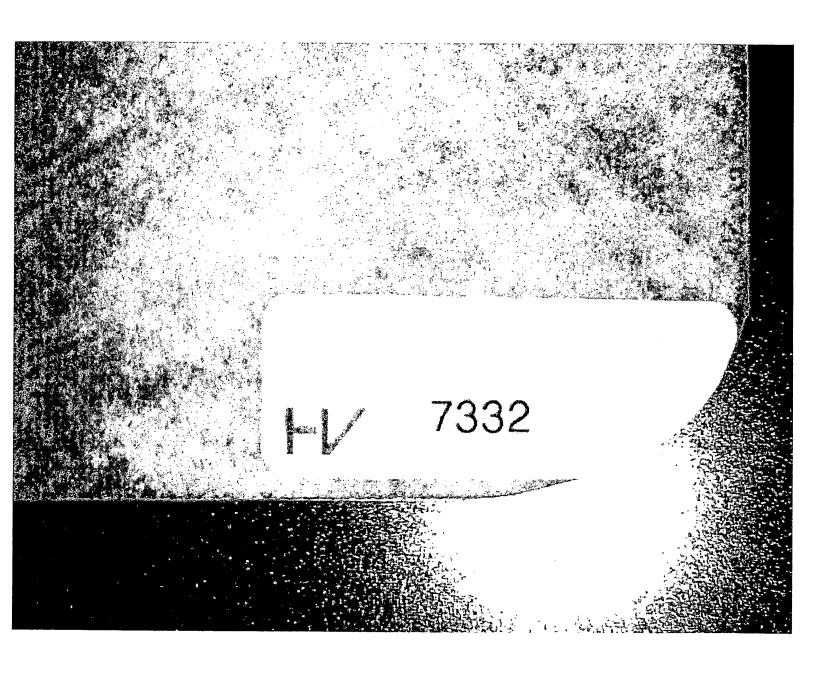
TOSS OUT GERMS & BACTERIA

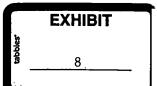
10 Individual Sheets 12" x 15" - \$3.29

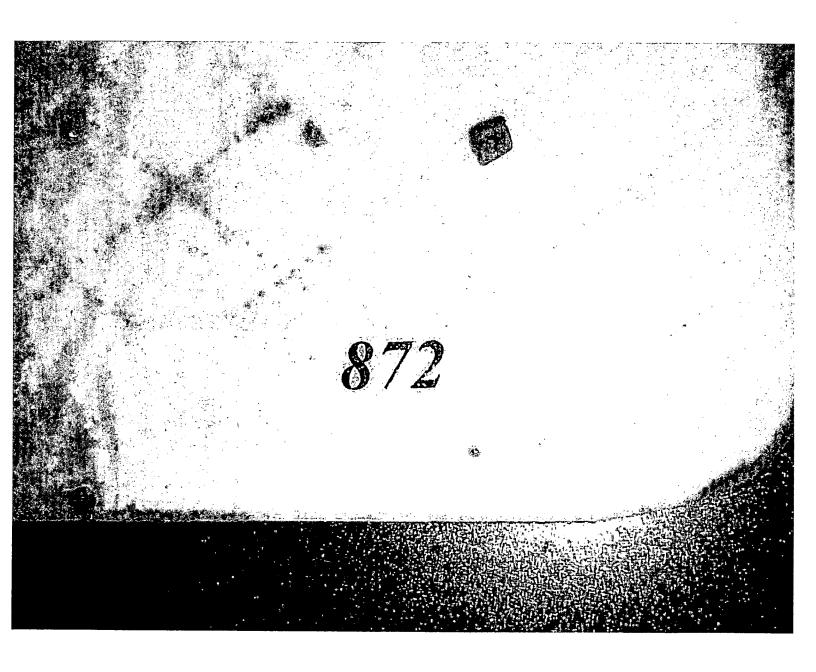
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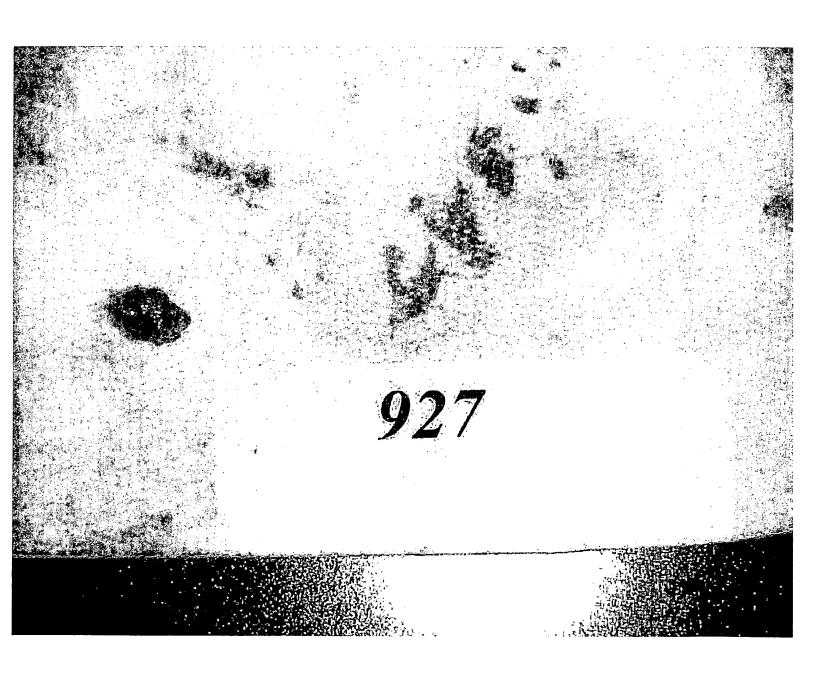


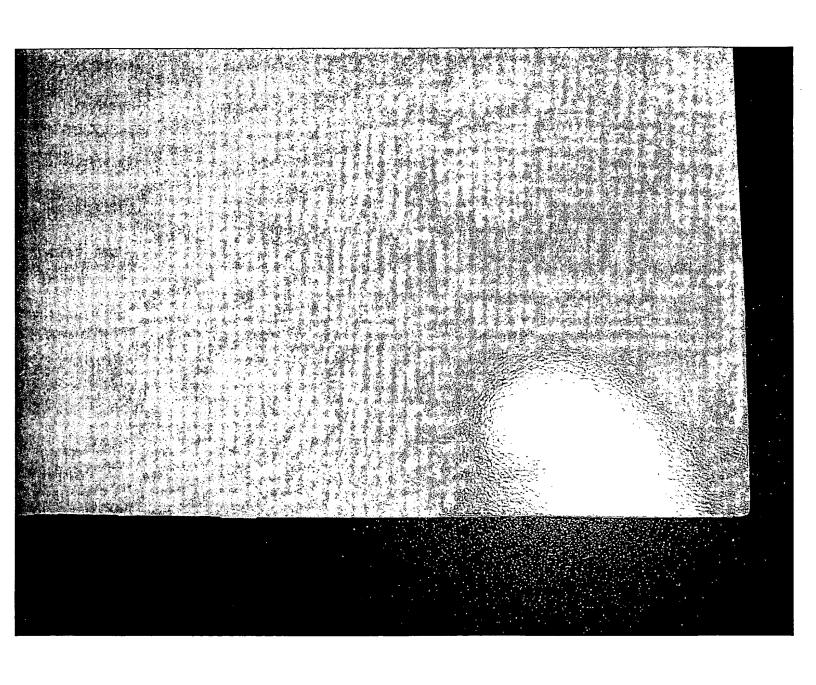


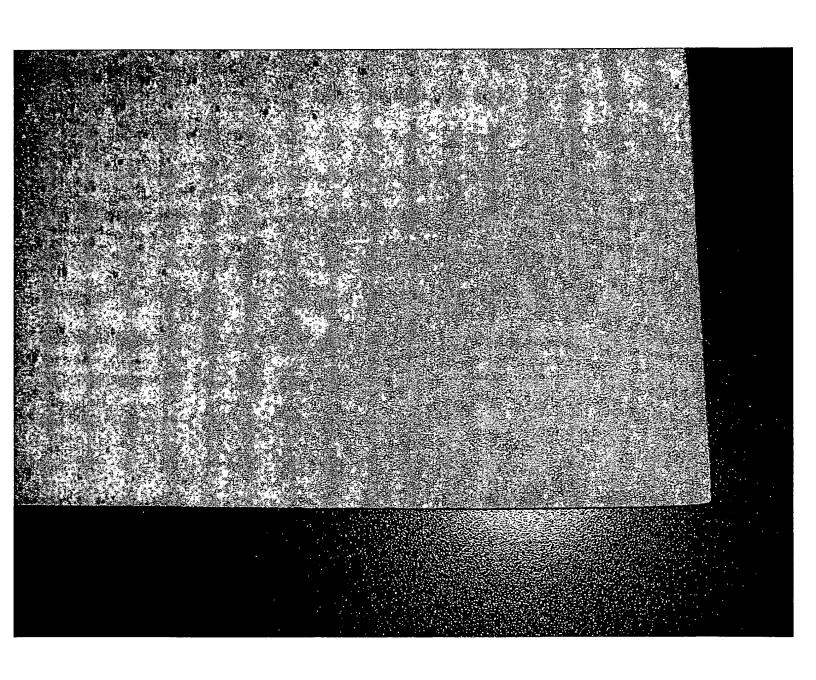


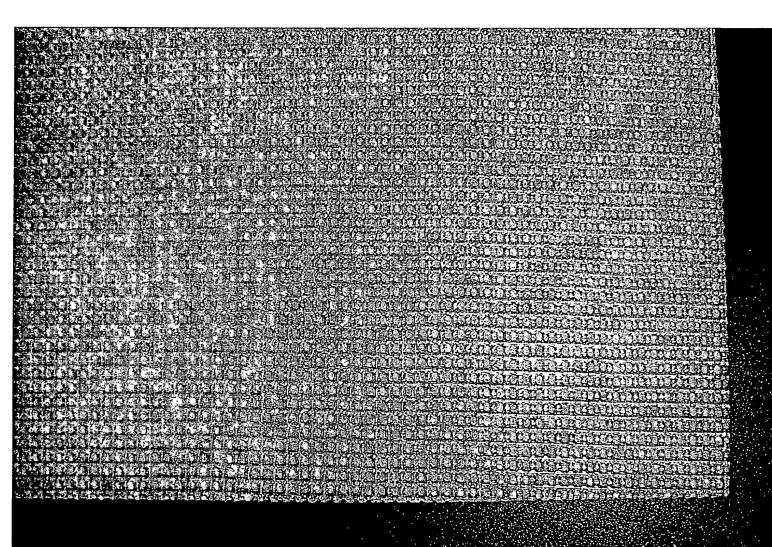


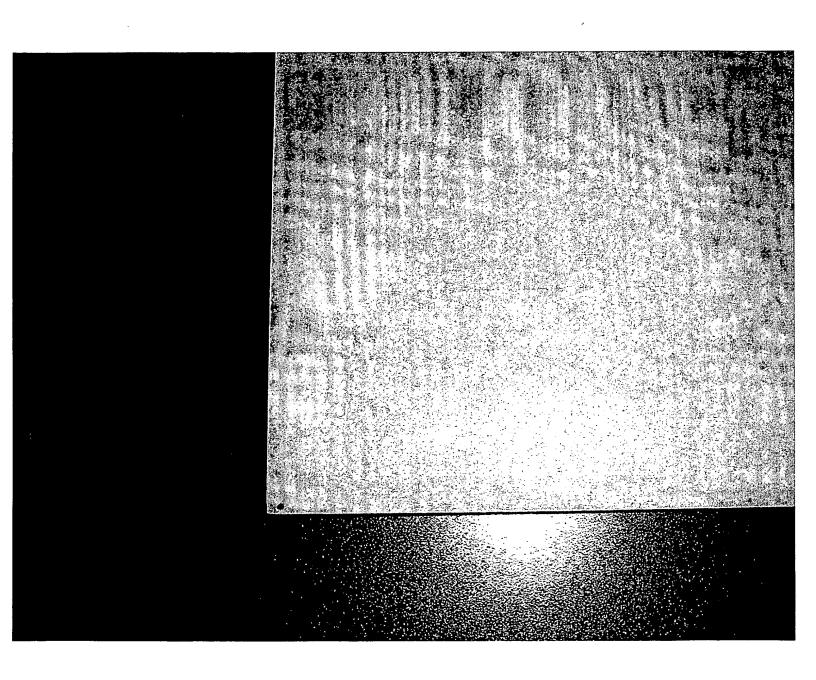












February 4, 1991
TO:

FROM:

RE: BUTCHER BLOCK BASES TEST

In April of 1985, a BASES test was conducted on the Butcher Block concept. The following is a brief synopsis of the results.

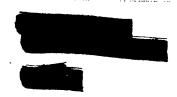


- Lack of need for Butcher Block was the main reason respondents were not interested in purchasing it. They viewed Butcher Block as being an unnecessary expense."
- * The aspects of Butcher Block that respondents liked were its ease and convenience, and ability to protect kitchen surfaces.

Recommendation

The results of the BASES test would seem to suggest that the Kilauea Team should either:

- 1) Reconsider Butcher Block as a trial balloon.
- 2) Reposition Butcher Block to better address a consumer need.



EXHIBIT

15

PROJECT NO:

WOSECT NO:

TITLE:

DATE:

1/3/85

R&D:

DIVERSIFICATION CARE - BUTCHER BLOCK

CUTTING SHEETS

SERVICES REQUESTED - STUDY OBJECTIVE

To determine how well our concept performs against consumers' expectations based upon the concept. The concept is a plastic cutting sheet used as an alternative to current butcher blocks.

RESEARCH DESIGN - PROCEDURES

The study will be conducted in four cities.

There will be 240 completed interviews.

TO BE COMPLETED BY MARKETING RESEARCH:

ORIGINATOR OF REQUEST:

ESTIMATED DELIVERY DATE:

3/15/85

ESTIMATED COST

APPROVED BY

PROJECT DIRECTOR

MARKETING RESEARCH MANAGER

ROUTE FOR SIGNATURES:

PLEASE CHARGE ACCOUNT NO.:

BUDGET COMMITTED BY

ORIGINATOR ORIGINATOR

MARKETING MANAGER

BUSINESS MANAGER

RETURN WHEN COMPLETED TO MARKETING RESEARCH

MARKETING RESEARCH PROJECT FILE



R. B. Vanderveer, Ph.D. and Associates, Inc. Patient Research Institute, Inc. Bio-tech Marketing Research, Inc.

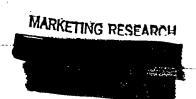
Consumers' Reactions to Disposable Cutting Sheet Prototypes

5801-0158

Prepared for:

Dow Chemical U.S.A.

May, 1985



311 North Broad Street | Lansdale, PA 19446 | (215) 362-5000

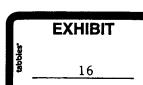


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I. INTRODUCTION AND METHODOLOGY

I. INTRODUCTION AND METHODOLOGY

In order to obtain a preliminary indication of consumers' reactions to several prototypes of a disposable cutting sheet, Dow Chemical contracted with The Vanderveer Group to conduct a series of focus groups with consumers. The primary objective was to determine which, among many possible parameters such as size, thickness, color, etc., should be evaluated in subsequent research with consumers.

In order to accomplish this goal, three focus groups were held in Indianapolis on May 7 and 8. Participants were screened so as to meet the following criteria:

- 18 to 65 years of age;
- Female head of household;
- At least one child under 18 years of age living at home;
- Prepare majority of evening meals at home;
- Use some type of cutting board or surface;
- Not participated in a marketing research study in the past six months.

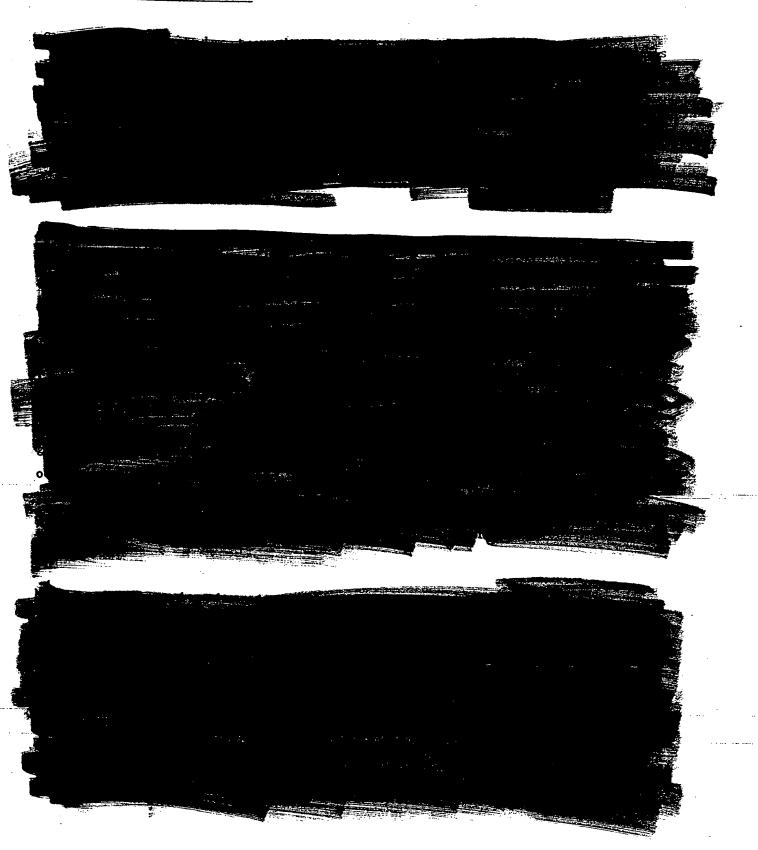
The discussion loosely followed a semi-structured topical guide (see Appendix A) that was developed jointly by The Vanderveer Group and members of the Dow team. Briefly, the participants first engaged in a discussion of current habits and attitudes pertaining to cutting surfaces. Two groups were exposed to a written summary of the concept (see Appendix B) and engaged in a brief discussion of perceived advantages and disadvantages. Participants in each group were then provided with an opportunity to chop carrots, celery, and tomatoes on clear, plastic, and white paperboard prototypes of the cutting sheet, which was followed by a group discussion of consumers' reactions to the prototypes used along with several additional prototypes that varied in color, size, thickness, design, and packaging. All sessions were moderated by

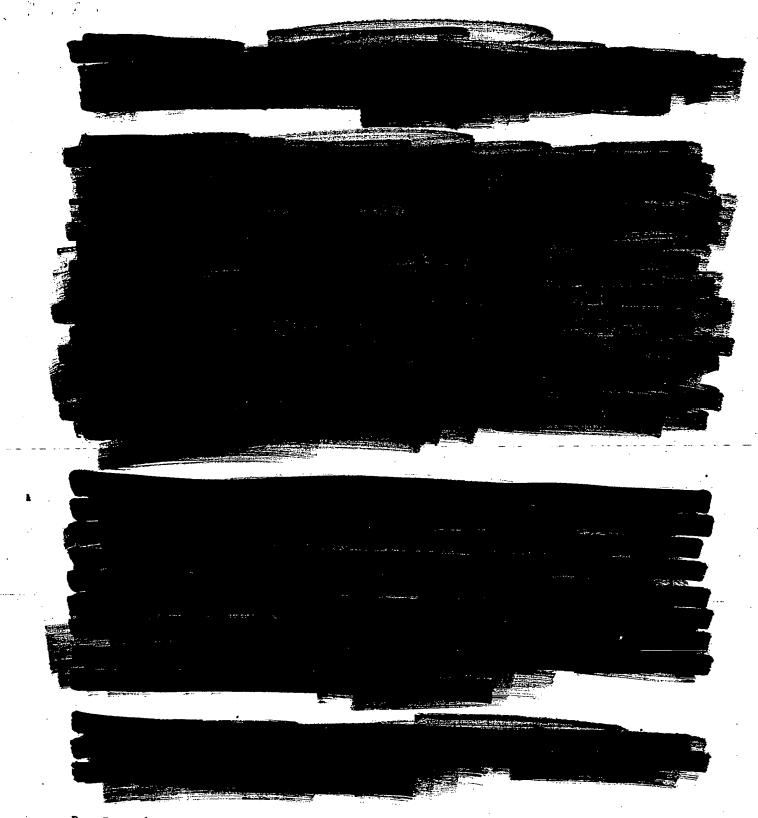
II. OVERALL FINDINGS

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II. OVERALL FINDINGS

A. Background Information





B. Reactions to New Product Concepts

In the two groups who were asked to react to a written description of the concept prior to viewing the product prototypes, only half expressed probable

purchase interest. The major perceived advantage of Cut & Toss related to not having to clean the cutting board and/or having a clean surface every time. An immediate drawback for most women, however, was the potential expense of using a "luxury" throwaway item for a task which they perform so frequently. In addition, several women objected to the disposable concept in general. Since it was apparent that some participants had interpreted the written copy as implying a thicker, sturdier product than the prototypes that were presented subsequently, the written concept was not shown to the last group of consumers.

Providing consumers with an opportunity to chop tomatoes, celery, and carrots on the clear plastic and white paperboard product prototypes revealed a consistent failure of the products to perform as expected or desired. First, between three and seven participants in each group perceived that they had cut through the clear, plastic prototype while chopping carrots which, in several cases, was confirmed by members of the Dow team. Although only one woman perceived that she had cut through the paperboard prototype, consumers objected to this product on the grounds that the coating would peel off and be mixed with the food, that the knife stuck to it, or that they did not like its "feel." Other observations made while using the prototypes were that the clear, plastic sheet was difficult to see, scratched easily, had a greater tendency to slide, and was not as flexible vis-a-vis ease of disposing.

Interestingly, despite a tendency to cite more drawbacks for the plastic sheet, subsequent group discussion revealed that most consumers preferred this prototype because of its clearness. Consumers strongly recommended, however, that it be made sturdier, have a border around the edge, and be available in larger sizes. Since the prototype readily revealed scratch marks, most women did not perceive this product as reusable if used as a cutting board.

Presenting consumers with a variety of alternative sizes and designs engendered a great deal of speculation, particularly in the last two groups, on other ways in which they might use this type of product. Bearing the above in mind, their reactions to the alternative prototypes revealed some consistent product preferences which are summarized below.

Size:

Although a 12" x 12" sheet was initially preferred by consumers in one group, most participants selected as most useful by the end of the discussion the 12" x 14" or 12" x 18" sizes. The larger of these two sizes appeared more appropriate for use as a place mat or for children's crafts. Some women also noted a desire for a wider sheet (13" x 18", 18" x 18"), especially for preparing baked goods.

Color:

As noted previously, a large majority of women opted in favor of clear sheets, mainly because it enhanced the versatility of this product. The perceived drawbacks of showing water marks, fingerprints, and scratches more easily led a few women to prefer one of the paperboard products discussed below.

Design:

Among the various design alternatives presented, the only one preferred by the majority of consumers was to have a border or "margin warning" around the edge so as to preclude accidental cutting of the counter top and several women noted that one thin stripe would 'e ideal. Colors preferred were earth tones (yellow, green, brown, or tan) and blue. The butcher block design also appealed to a minority of women, whereas others claimed that it was too dark and resembled floor tile. The remaining designs did not appeal to the vast majority of consumers because they were perceived as "gross," peeled off easily, or, most importantly, contradicted the basic desire for a clear sheet with a border.

Packaging:

Packaging options included a set of 10 peel-off sheets, individual flat sheets, a roll dispenser, and, for two groups, the idea or actual prototype of 10 sheets in a Ziploc bag. In the absence of a Ziploc bag alternative,

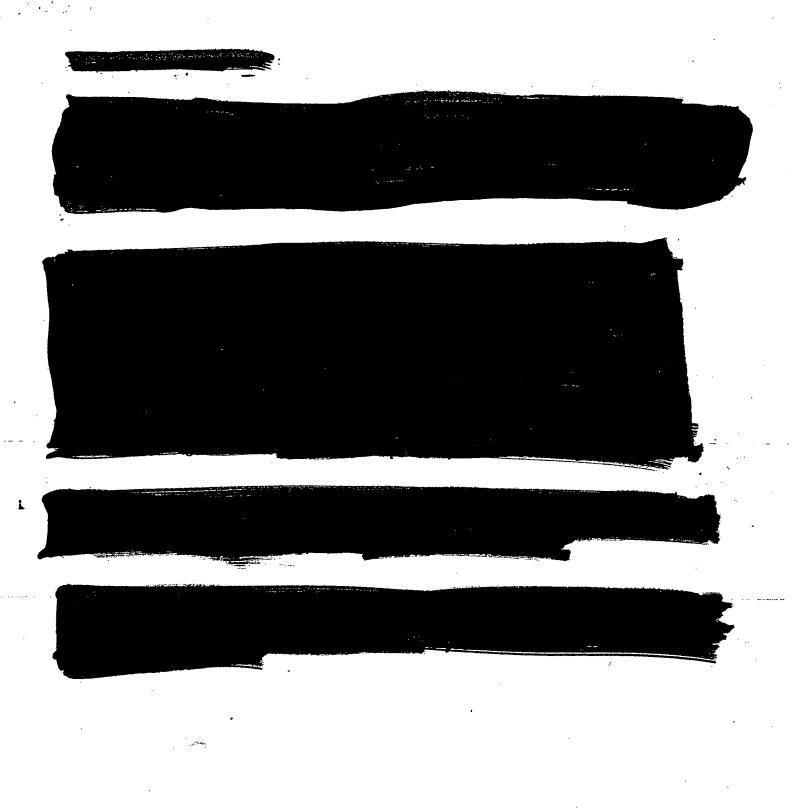
women tended to prefer the roll dispenser for ease of storage. Many consumers spontaneously feared, however, that the product would not lay flat if dispensed in a roll, especially if they had previous experience with the current Tupperware product. Other perceived drawbacks of the roll were price, not being able to see how many sheets are left, and an inability to place sheets back in the container after use.

Peel-off sheets had some initial appeal because the sheets would "stay together." Some consumers, however, objected to the possibility of getting glue in the food or contaminating the entire set of sheets as a result of moisture seeping between sheets. Most women exposed to the Ziploc bag alternative perceived less need for the peel-off sheets and favored individual sheets in a Ziploc bag; this concept provided additional advantages of collecting useful bags, having a container in which to store used sheets, and being clear. The latter point was described as very important in influencing initial purchase interest since "women want to see what they're buying."

Consumers clearly rejected the idea of selling the product in a box based on a desire to see the product, as well as a feeling that a box would increase the cost. Consequently, the prototype of a grocery store display appealed to women because the clear packaging allowed them to see and feel the product and it did not appear to be expensive.

Heat Resistance:

The ability to place a paperboard product in a microwave or conventional oven appealed to some women because it would facilitate cleaning. Two factors need to be taken into account, however. First, a number of women seemed primarily interested in placing hot pots and pans on the sheet and a few noted that safety in this regard should be specified. Second, most women maintained a preference for clear plastic despite this added advantage of a paperboard product.



III. CONCLUSIONS AND RECOMMENDATIONS

III. CONCLUSIONS AND RECOMMENDATIONS

Bearing in mind the caveats associated with small-scale, qualitative research techniques, the findings of the present study confirm the results of previous research which indicated that the concept of disposable cutting sheets holds limited appeal to consumers.

Although one of the primary objectives of this study was to identify the product attributes that should be tested in subsequent quantitative research, consumers evidenced very little heterogeneity in their reactions to the product prototypes and, consequently, the need to quantify consumers' preferences is questionable. It is recommended that a more expedient course of action for Dow would be to develop and test an improved prototype that more closely resembles consumers' perceptions of the ideal product. The following recommendations are offered:

- Clear, plastic sheets with a thin border in various earth tones were perceived as most appropriate for a multipurpose product. Alternatively, frosted sheets might reduce the visibility of knife marks, thereby enhancing the reusability and perceived appropriateness for use as a cutting sheet. It is suggested that both types be developed.
- It is imperative that a stronger product be developed and that it be tested by consumers if use as a cutting sheet is to be promoted. A suggestion in the post-study meeting to have the border inlaid between 2 layers of plastic so that it cannot peel off might be the most expedient method for overcoming two objections raised by consumers.

A large variety of sizes does not seem necessary since the product can easily be cut if a small size is desired. Due to storage considerations, the upper limit of a useful size would be approximately 15" x 18" and it is recommended that the smaller size tested in the present study (12" x 14") should also be offered.

- Packaging should be oriented at making the product seem inexpensive, convenient to use for a variety of purposes, and easy to store. Although a roll dispenser might facilitate storage, it is suggested that packaging the product in a clear Ziploc bag would pique consumers' interest by providing them with an opportunity to see and, to some extent, handle the product and would add additional appeal by providing them with a bag that can be used later for other purposes.
- If the initial price for a package of 10 sheets can be kept below \$2.00, the findings suggest that consumers would be receptive to trying the product. Since many women believed that they would find a multitude of uses once the product was available in the home, it is possible that a low price would encourage repeat purchase and would generate the greatest sales potential for this type of product.

THE DOW: CHEMICAL COMPANY CONSUMER PRODUCTS DEPARTMENT REQUEST FOR MARKETING RESEARCH SERVICES

DOY

TITLE:

DATE:

4/26/85

R&D: DIVERSIFICATION CARE DEVELOPMENT - FOCUS

GROUPS - CUTTER SHEETS

-- VANDERVEER & ASSOCIATES

SERVICES REQUESTED - STUDY OBJECTIVE

To do exploratory work to provide guidance in determining, among the many possible variables in size, thickness, color, shape, etc. of the sheets, which one should have further consumer evaluation.

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RESEARCH DESIGN - PROCEDURES

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TO BE COMPLETED BY MARKETING RESEARCH:

ESTIMATED DELIVERY DATE:

5/8/85

ESTIMATED COST

APPROVED BY:

PROJECT DIRECTOR

MARKETING RESEARCH MANAGER

ROUTE FOR SIGNATURES:

142

: 448× ,

BUDGET COMMITTED BY

A SILLY

ORIGINATOR

MARKETING MANAGER

BUSINESS MANAGER

DETHON LINES CONDICTED TO MADVETING DECEARCH

STUDY TITLE: **Project** Fielded: 3/3/97-3/17/97 FROM: DATE: TO: **BACKGROUND/OBJECTIVES** Research Question: What is the volumetric potential of future development of these products? **KEY FINDINGS** In terms of interest, most of the ideas are quite strong, In terms of volume potential, and Saran Wrap Protector all have the highest volume potential. CONCLUSION/INDICATED ACTION brands do have strong potential on their own, especially for the Saran Wrap ideas.

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EXHIBIT

17

Project Name RS # Page Number

In terms of recommended next steps, these ideas do show potential even in the early stages of development.

CONTINUE					
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ACKGROUND/OBJECTIVE	c				
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as tested under the SARAN WRAP	m brand plastic film bra	and name. They inc	cluded:		Cutting
ursued further.		Results will be us	sed to determine w	nich of the conce	ots should be
torage Concepts database will be us	ed as backup support.	In addition to the	e All Household Co	oncept database,	the Home
esearch Questions: How appealing Thich concept(s) generates the most	are each of the concepts consumer potential?	? What are the rela	ative strengths and	weaknesses of ea	ch concept?
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18

HOME STORAGE NEW PRODUCTS R&D

Linking Consumer Need to Technical Solutions

Date: November 6, 1998

TESSIFIED FOR THE SECOND SECON

Protection

Objectives

The objective of this study is to further our understanding of consumer needs with respect to surface protection in food preparation. Specifically, do our cutting sheets meet consumer needs and expectations? Also, we will be probing product attributes such as thickness, stiffness and appropriateness of material for specific use. The consumers will also be probed for any other food preparation or storage needs they see these products as fulfilling (refrigerator liners, etc.).

Anticipated Use of Results

Learning from this evaluation will be used to refine these prototypes for future quantitative study.

Background

Project strategic role is to explore new concepts for disposable surface protection that performs over a broad spectrum of uses and identify need gaps of consumers.

The consumer objective for the cutting sheet is to provide a disposable, cost effective, hygienic, cut resistant cutting surface. The consumer objective for the surface protector is to provide a disposable, cost effective, hygienic, absorbent, bacteria barrier, single use disposable surface.

Key Questions and Observations

- Are the prototypes effective (demonstrated and perceived)?
- Do they fulfil a need?
- What attributes are desired for the specific use (thickness, type of material, stiffness, shape, size)?
- What other uses would be valuable for food storage/preparation?

The moderator will issue an outline by Tuesday, November 10.

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EXHIBIT

Methodology

Small interactive sessions with a moderator. The respondents will:

- engage in discussion of food preparation needs (focused on cutting
- react to various prototypes with likes/dislikes, concerns,
- suggest other food preparation needs
- make a BLT using one cutting surface

Test Products There will be various combinations of absorbent materials, thickness and flexibility. A complete listing of these prototypes will be issued also on Tuesday, November 10.

> We will need a total of 20 usable cutting sheets as well as various prototypes "for show". These prototypes will be handmade by

Field Service

Opinion Search in Detroit. Moderator will be

Date(s)

November 17, 1998. There will be four 2-hour sessions beginning at 10am, 1pm, 3:30pm and 6pm.

Number of Respondents

Four respondents each session with four sessions total.

Screening Criteria

Women, 18-64 who do not work for a market research company, advertising firm or competitive manufacturer or distributor of food preparation products. These women do half of the shopping and food preparation in their household and they microwave to cook or prepare food at least 3 times per week.

If you have any questions or comments, please give me a call. Thanks,

Introduction

Study Overview

S. C. Johnson, in association with Opinion Search, directed product development research among consumers within the metropolitan Detroit area on November 17, 1998. This report is a summary of the findings of four focus groups conducted at Opinion Search in Southfield, Michigan. The objectives, methodology and key findings are contained within.

Objectives

The objective of this study was to further S. C. Johnson's understanding of consumer needs with respect to surface protection during food preparation. Specifically, would disposable cutting sheets and meet consumer expectations? Additionally, consumers were probed on product attributes such as thickness, stiffness and appropriateness of material for specific use. On a tertiary level, consumers were also probed for "alternative" ideas of any other food preparation or storage needs they may associate with these products.

Methodology

Focus group participants were recruited via a stratified random sample of females within the metropolitan Detroit area who met the following criteria:

- Between the ages of 18 and 64
- Primarily responsible for the grocery shopping in the household
- Primarily responsible for the food preparation in the household
- Utilized a microwave a minimum of three times per week for cooking
- Have not participated in any food and beverage consumer research in the past 6 months

In addition, information was gathered relating to the household composition of each female respondent so as to further understand the extent, e.g. volume, of the grocery shopping and food preparation habits. All four focus groups were moderated by Search. The overall composition of the focus groups was:

Group One	Respondents 5	Age Range 18 to 64	Average No. Males/ Females In Household 3 including children
Two	4	18 to 64	4 including children
Three	5	18 to 64	3 including children
Four	4	18 to 48	5 including children

Introduction

Discussion Outline

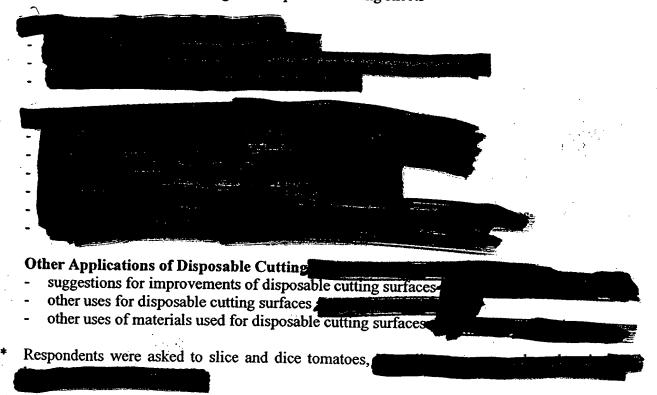
Each focus group was approximately 2 hours in length. The group outline for discussion addressed the following:

Current Food Preparation Habits

- types of cutting surfaces currently used
- use of multiple cutting surfaces
- rationale for using multiple cutting surfaces
- satisfaction with current cutting surfaces

Disposable Cutting Sheets (Prototypes)

- presentation and explanation of disposable cutting sheets
- initial impressions of prototypes (material, thickness, shape, size)
- *reactions to using disposable cutting sheets
- comparison of disposable cutting sheets to current cutting surfaces used
- advantages and disadvantages of disposable cutting sheets



Note: Focus groups reveal the <u>kinds</u> of opinions people hold on a subject, not <u>how widely</u> such opinions are shared. The <u>value</u> of focus groups, therefore, is in providing possibilities, thought starters, and insight. Additionally, focus groups are intended to establish a <u>dialogue</u> between consumer and manufacturer. As a result, because of the small sample sizes, focus group research cannot produce a quantitative evaluation or forecast.

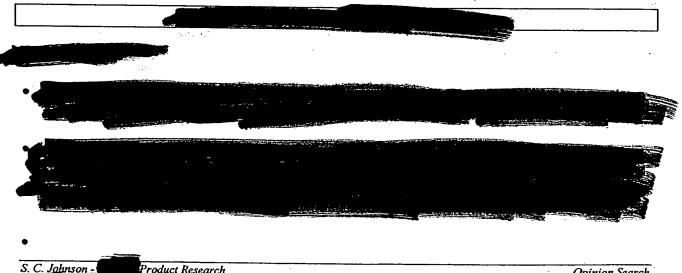
Key Findings

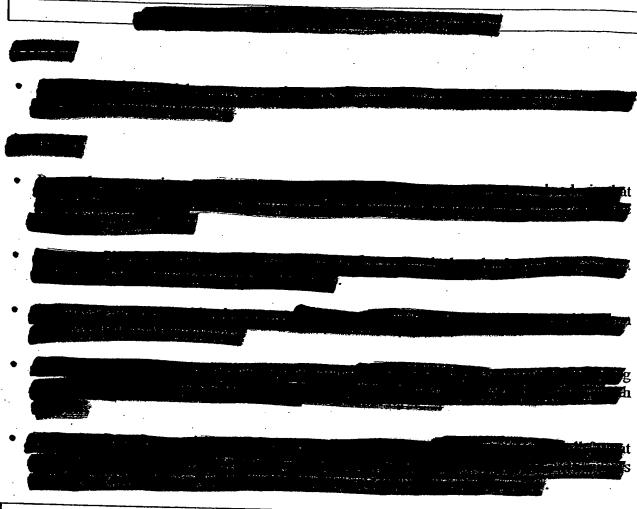
Prototype Disposable Cutting Sheets (cont.)

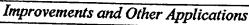


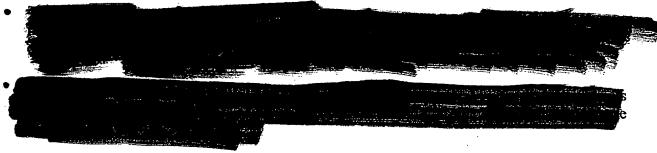
Post-Test

- After being instructed to slice a tomato on the prototype cutting sheets, respondents were pleasantly surprised at how well the moisture was actually absorbed. Additionally, there were several comments regarding the ability of the sheets to contain the moisture and not allow it to flow to other parts of the sheet.
- Respondents also were complimentary of the ability in which the prototype cutting sheets could hold the weight of the tomato without leakage anywhere. Also, the flexibility of the type of material used with the cutting sheets was appealing to respondents.
- Respondents showed considerable interest toward the prototype cutting sheets being available in various sizes. Consumers also indicated they would not be opposed to the notion of cutting the sheets themselves, if packaged in a roll such as aluminum foil. respondents agreed that the sheets should be cut with scissors rather than designed to tear-off.
- Those respondents that perceived the disposable sheets to be appropriate for cutting meat or poultry indicated that they would most likely use them on top of a cutting board for additional support. Most agreed that cutting vegetables on the disposable sheet, just utilizing the counter top for support, would be fine.









- Respondents were unanimous in the view that these products should be recyclable, regardless of how much less paper towel would be needed during cooking.
- Other various uses for these two products were:
- place hot food on to cool
- use in hospital labs
- to line drawers
- place beneath bird cage
- dry washed foods such as fruit
- place beneath children's projects
- re-heat food in lieu of Tupperware place beneath plants
- use as disposable coasters
- place beneath paint cans
- shelf lining
- children's placemat



HOME STORAGE R&D

Linking Consumer Needs with Technical Solutions

Date: July 1, 1999

To: From:

THE STEPLAN FOR

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Objectives

The objective of this study is to develop understanding of how product attributes affect consumer perception of product performance and to evaluate prototypes made with different configurations.

Anticipated Use of Results

Learning from this evaluation will be used to help refine the attributes the various sheets should have to perform acceptably in the home.

Background

The strategic role of Project is to explore a new concept for a disposable surface protector that performs over a broad spectrum of uses and identify need gaps of consumers. The consumer objective is to provide disposable, cost effective, hygienic, cut resistant (in some cases), surfaces on which to prepare a wide spectrum of foods. The primary technical objectives are to:

- Provide a product that works (as defined by the consumer)
- Research substrate materials

Key Questions Which o

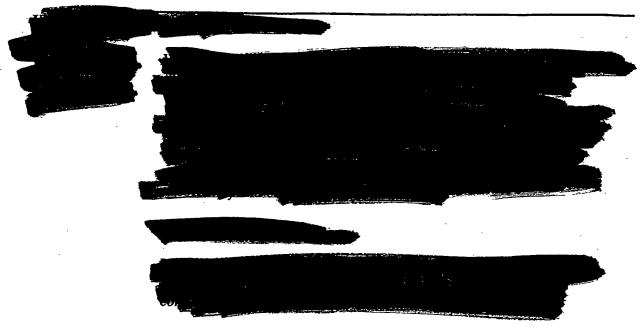
and Observations-Cutting Focus Which cutting sheet do consumers prefer, the paperboard product with no absorbency, or the prototype product? Participants will choose the preferred cutting sheet as well as give Likes/Dislikes.

Are there any performance problems associated with these prototypes during consumer use? Are there differences in ease of use between these prototypes? Participants will rate the prototypes on various attributes such as overall performance, ease of use, cut resistance, absorbency and ease of disposal.

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EXHIBIT

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Methodology-General

In-Home Use Test with each respondent evaluating either cutting

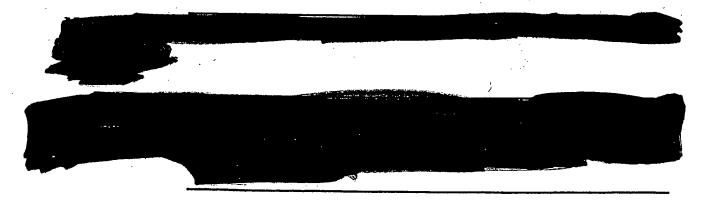
Respondents will come to a central location to receive their prototypes and receive instructions.

A diary will be kept for all prototypes and a phone-administered questionnaire will be completed at end of each 2-week testing period.

Methodology-Cutting Focus

In order to "level the playing field", each respondent will first use a paperboard non-absorbent prototype to get experience with the practice of using disposable cutting sheets and will then test one of the 3 film-based prototypes. If possible, this first prototype will be the commercially available Cut&Toss. If the Cut&Toss is unavailable an appropriate paper-based alternative will be used.

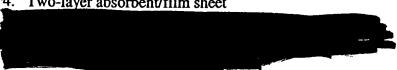
We will also be making in-home visits and videotaping 15 "cutting" respondents to record their usage of their current cutting board and later to record them using their prototype cutting sheet.



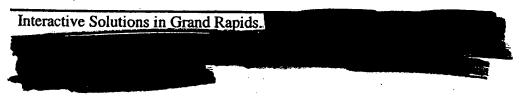
Test Products

Prototypes will be obtained in a variety of ways and this will be determined by the availability of ready to use prototypes from one or more suppliers. For specifics see attachment.

- 1. Paperboard-possibly Cut&Toss
- 2. Film sheet 8 mils, white copolymer (w/PE), no slip
- 3. Tri-layer scrim/absorbent/film sheet
- 4. Two-layer absorbent/film sheet



Field Service



Date(s)

June 23 and 24, 1999. First interviews July 7 and 8. In-Home visits week of July 19.

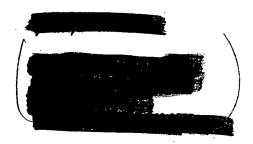
Number of Respondents

120 respondents. Each prototype set will have 30 respondents.

Screening Criteria

Female Head of Household, 18-64. They will be responsible for at least one-half the grocery shopping and kitchen clean-up in their household, will be the primary food preparer, and will not be employed in a sensitive industry (competitive firms, marketing or marketing research organizations). Cutting focus respondents will also be asked how many times per week they cut up chicken or meat and we will load with heavy users if possible.

If you have any questions or comments, please give me a call. Thanks,



(Cutting Sheet Letter to Respondent)

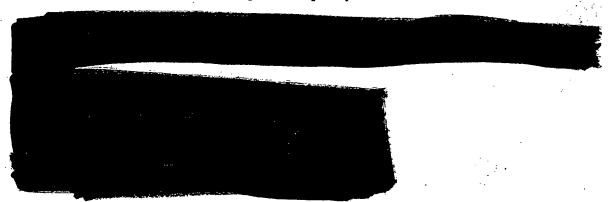
Dear Research Participant:

Thank you very much for participating in this study.

Manufacturers want to make products the way people would like them -- that is why they sponsor studies like this and why they value your opinion so highly.

During the next four weeks, please put away any cutting boards you may have and use only the products we have given you. Please use these products in place of your standard cutting boards. Use on firm surface.

In your envelopes along with the cutting sheets you will find a Use Documentation Form. You have received 10 cutting sheets in each envelope. Each time you use a cutting sheet note on the form what you were cutting, what kind of knife you used and where you placed the cutting sheet to work (counter, stovetop, kitchen table, cutting board, etc.). You have received two envelopes of cutting sheets; do not open the second envelope until you are finished testing the first batch. You will be contacted by Interactive Solutions for a telephone survey at two and four weeks. If you use up all the first test product in less than 2 weeks, go ahead and start using the second set of sheets. The survey and all Use Documentation forms must be completed to qualify for the test incentive.



Use your imagination and fill out the form included letting us know how you used them.

Again, thank you for helping us with this study. If you have any questions at all, please call and ask to speak to someone about the Cutting Sheet Study. We look forward to hearing your opinions about these sheets.

Cutting Sheet Placement Instructions

1. HAVE RESPONDENT READ LETTER THEY WILL TAKE HOME. WHEN FINISHED, READ FOLLOWING SUMMARY:

These are the cutting sheets we would like you to use for the next four weeks instead of any such products you may already have in your home. Please notice that you will use the product labeled "Use First" for the first two-week period. At the end of the first trial period, you will be contacted for a telephone survey to get your impressions of these sheets. Please note any problems on the Documentation Sheet

For the second two-week period, you will use the product labeled "Use Second". At the end of the second two-week interval you will be contacted for the final survey to get your impressions of this second set of sheets. You must complete both phone surveys and return three documentation sheets in order to qualify for the test incentive.

Please use these cutting sheets as you would normally use a cutting board. Use on firm surface. At two weeks, you will switch to the second product. You may or may not have used up all of the first product. Please return any extra product to Interactive Solutions. Also, if you use up all the first product in a shorter time, then switch to the second product early rather than going back to using your normal cutting board.

- 2. May I please have your name and phone number so we can contact you for the telephone survey? Also, when is the best time to reach you?
- RECORD RESPONSES AND MAKE SURE CODES MATCH LIST
- 3. I'd like to ask you some more questions for classification purposes. What type of cutting board have you, yourself used most often in the last six months? Are there any other cutting boards you use at home? (Show examples, record responses, note all types.)
- 4. What type of knives do you use at home, serrated, smooth or both?
- 5. Where did you buy the knives you use most often to prepare food: supermarket, specialty cooking store, or department store? (If gift, have them guess-if they state brand take it down, but primarily want to know source.)
- 6. In a week how often do you, yourself cut up a chicken or other uncooked meat?
- 7. In a week how often do you, yourself cut up fresh vegetables and /or fruits?
- ASK FOR QUESTIONS
 GIVE BAG WITH PRODUCTS TO RESPONDENT
- 8. Thank you for helping us with this study! We look forward to hearing from you!

Cutting Sheet -First Questionnaire

Thank you so much for taking your time to participate in this study of cutting sheets. We are very interested in your opinions on this product.

- 1. Record Respondent name, code from file and description of product used first
- 2.. How many sheets do you have left (unused) from this test period?
- 3. How would you rate the overall performance of the cutting sheet you tried? Using a 9 point scale, where "9" is the highest rating and "1" is the lowest rating, what number from 1 to 9 best describes how you would rate this product on its overall performance?
- 4. What, if anything, do you specifically LIKE about the cutting sheet you tried?
- 5. What, if anything, do you specifically DISLIKE about the cutting sheet you tried?
- 6. Now we'd like to get your opinions of the product on a number of characteristics. For each characteristic, please rate the product on the same 9-point scale where "1" is the lowest possible rating and "9" is the highest rating. You may use any number from "1" to "9" that best describes your feelings.

Please rate the product for the following characteristics:

Do you have any other comments for us?

A.	Cutting sheet is easy to use
В.	Cutting sheet is cut resistant
C.	Cutting sheet contains liquids
D.	Cutting sheet does not rip or tear
E.	Cutting sheet reduces clean-up time
F.	Cutting sheet is leakproof
G.	Cutting sheet is durable
H.	Cutting sheet is easy to dispose of
I.	Cutting sheet is kind to the environment
J.	Cutting sheet stays where you want it during use
7.	Cutting sheet istoo smalljust righttoo large
8. (If yes, inform	Did you have any cutting sheets which did not perform well during use? please state problem on the Use Documentation Form". This is very important ation for us to get from you, as it will help us understand your comments.)

Please put any leftover first product away now and use the second product for the next two weeks. We look forward to your opinions on your second test product in two weeks.

SCJ Confidential

9.

Cutting Sheet -Final Questionnaire, cont.

For verification, ask for description of preferred product: Read and note

Stiff Paper sheet

White Plastic sheet

White Flexible Sheet w/Dots

White Flexible Sheet w/Diamond Pattern

- 10. Why do you prefer ____ above?
- 11. Do you have any other comments for us or suggestions for improvement?

That is all of the questions we have. Thank you very much for participating in this study!

REMEMBER TO RETURN ANY UNUSED SHEETS TO INTERACTIVE SOLUTIONS

Sample Specification Sheet

Sample #	Source	Composition	Size
1	Nichole	Paperboard	12"x15" rectangle
2	BBA	CT-1 9mil white pp copolymer w/low level slip agent	12"x15" rectangle
3	BBA	CT-2 pp mesh on 75/25 rayon/pp nonwoven on 5 mil white pp film	12"x15" rectangle
4	BBA	CT-3 100% pp thermalbond nonwoven on 8 mil white pp film	12"x15" rectangle
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	- <u> </u>		